

Message Text

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ACTION ERDA-07

INFO OCT-01 EUR-12 IO-10 ISO-00 ARA-06 ACDA-05 CIAE-00

INR-07 L-03 NSAE-00 NSC-05 EB-07 NRC-05 OES-03

FEAE-00 DODE-00 SP-02 PM-04 SS-15 /092 W

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R 141353Z NOV 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 4381

INFO USMISSION IAEA VIENNA

C O N F I D E N T I A L SECTION 01 OF 02 BONN 18643

E.O. 11652: GDS

TAGS: TECH, PARM, IAEA

SUBJECT: FRG-BRAZIL-IAEA TRILATERAL SAFEGUARDS
AGREEMENT

REF: STATE 268479

1. AS REQUESTED REFTEL, EMBASSY OFFICERS TRANSMITTED
US COMMENTS AND RECOMMENDATIONS FOR CHANGES IN
DRAFT FRG-BRAZIL-IAEA SAFEGUARDS AGREEMENT TO FONOFF
OFFICIAL VON WAGNER. AFTER REVIEWING US POSITIONS
VON WAGNER EXPRESSED GRATITUDE FOR COMMENTS DESCRIB-
ING THEM AS VERY HELPFUL ON THE WHOLE. HE INDICATED
THAT FRG WOULD TAKE THEM INTO CONSIDERATION AS FULLY
AS POSSIBLE. HERE FOLLOWS A SERIES OF OBSERVATIONS
WHICH VON WAGNER TERMED PRELIMINARY, PERSONAL, AND
OFF-THE-RECORD.

2. PARA 3 REFTEL: VON WAGNER DID NOT COMMENT ON
DELETION OF QUOTE RESPECTIVE UNQUOTE BUT DID FEEL
THAT THE INSERTION OF QUOTE TO BE UNQUOTE WOULD
PRESENT NO PROBLEM FOR FRG.

3. PARA 4 REFTEL: VON WAGNER REITERATED STANDARD FRG
POSITION ON QUOTE MILITARY PURPOSES UNQUOTE POINTING
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OUT IT LAY BEYOND THE SCOPE OF THE NPT. IN HIS
VIEW, TRILATERAL SAFEGUARD AGREEMENT IS RECIPROCAL,

AND FRG CANNOT ASK BRAZIL TO UNDERTAKE OBLIGATIONS THAT FRG ITSELF HAS BEEN UNWILLING IN PAST TO UNDERTAKE. FOR EXAMPLE, USE OF A REACTOR TO POWER NUCLEAR WARSHIP WOULD NOT BE COVERED WHILE NUCLEAR WEAPONS FOR A WARSHIP WOULD BE INCLUDED. HE FELT FRG COULD NOT MEET US CONCERNS ON THIS POINT.

4. PARA 5 REFTTEL: VON WAGNER FELT FRG COULD ACCEPT US VIEWPOINT TO SOME DEGREE. HOWEVER, IT IS POSSIBLE US DOES NOT FULLY UNDERSTAND THIS PORTION OF TEXT IN HIS VIEW. SECTION 5 DEALS ONLY WITH NORMAL NOTIFICATION TO AGENCY. SECTION 4(BIS) HANDLES THE PROBLEM OF TECHNOLOGY TRANSFER IN A BETTER MANNER. FIRST IT PROVIDES FOR ADVANCE NOTIFICATION INSTEAD OF AT TIME OF ACTION. SECOND, IT PROVIDES FOR NOTIFICATION ON TECHNOLOGY TRANSFERS AS BROADLY DEFINED IN FIVE AREAS. THIS IS A SUBSTANTIAL IMPROVEMENT OVER NOTIFICATION MERELY ON THE TRANSFER OF MACHINERY OR EQUIPMENT. HE SUGGESTED US REVIEW AGAIN RELEVANT PORTIONS OF TEXT.

5. PARA 8 REFTTEL: VON WAGNER APPRECIATED US OBSERVATION AND FELT IT COULD BE MET BY REPEATING LAST SENTENCE OF SECTION 5(A)(1) AT END OF SECTION 5 (A)(2).

6. PARA 9 REFTTEL. IN HIS OPINION THIS IS A VERY DIFFICULT POINT, AND FRG PROBABLY CANNOT SATISFY US CONCERNS. FRG LEGISLATION DOES NOT COVER TECHNOLOGY IN HUMAN MINDS AND PROBABLY CANNOT AND WOULD NOT BE

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 18643

MODIFIED TO DO SO. HOWEVER, CONTROLS ON BLUEPRINTS
AND WRITTEN TECHNOLOGY SUBSTANTIALLY MEET THE POINT.
THUS THE ISSUE IS NOT SO IMPORTANT.

7. PARA 11 REFTTEL: VON WAGNER OBSERVED THAT BEYOND
NOTIFICATION IAEA IS NOT PREPARED OR EQUIPPED TO DEAL
WITH PHYSICAL SECURITY. NOTIFICATION IS ABOUT ALL
THAT IS FEASIBLE AT THE PRESENT TIME. DEVELOPMENTS
IN THE FUTURE IN THIS AREA CANNOT BE PREDICTED, BUT
IT WILL BE INCREASINGLY IMPORTANT.

8. PARA 12 REFTTEL: FRG WILL LOOK INTO US COMMENTS.
IF A TECHNICAL PROBLEM IS EVIDENT, FRG WOULD BE OPEN-
MINDED IN THIS REGARD.

9. VON WAGNER STRESSED TWO FINAL POINTS: FIRST, THIS
IS A DRAFT AND THE BRAZILIANS HAVE NOT YET HAD AN
INPUT. SECOND IT HAS BEEN WORKED ON SINCE BEING
PASSED TO US IN SEPTEMBER, AND A CONSIDERABLE NUMBER
OF CHANGES HAVE BEEN MADE. CONSEQUENTLY HE WILL
PROVIDE EMBASSY WITH REVISED COPY FIRST OF NEXT WEEK.
EMBASSY WILL PASS TO DEPARTMENT AS SOON AS RECEIVED.
HILLENBRAND

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